



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sette *et al.*

Appl. No.: 09/894,018

Filed: June 27, 2001

For: **Method and System for Optimizing
Minigenes and Peptides Encoded
Thereby**

Confirmation No.: 7107

Art Unit: 1631

Examiner: Ardin H. Marschel

Atty. Docket: 2060.0320003/EKS/PAC

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Small Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated August 10, 2004, in which claims 27-32, 34-36, and 58-73 were finally or twice rejected.

The fee (for a small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 41.20(b)(1)); along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided in the attached PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

02/10/2005 SDENB0B1 00000059 09894018

01 FC:2401

250.00 0P

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

Date: 2/9/05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600